

RESOLUTION NO. A-_____

1 WHEREAS, Lincoln City Church has requested a waiver of the surfacing
2 requirements for a parking lot located on property generally located at south 1st Street
3 and Old Cheney Road and legally described as:

4 A portion of Lot 42 of Irregular Tracts located in the North
5 Half of the Southeast Quarter of Section 10, Township 9
6 North, Range 6 East of the 6th P.M., Lincoln, Lancaster
7 County, Nebraska and more particularly described by metes
8 and bounds as follows:

9 Beginning at the east quarter corner or the northeast corner
10 of Lot 42 or the southeast corner of Lot 39 Irregular Tracts of
11 Section 10, Township 9 North, Range 6 East of the 6th
12 Principal Meridian, Lancaster County, Nebraska, being a
13 5/8" rebar and aluminum cap; thence south 00 degrees 12
14 minutes 52 seconds east (an assumed bearing) on the east
15 line of the Southeast Quarter and Lot 42 Irregular Tract of
16 said Section 10, a distance of 1,325.91 feet to a 1/2" rebar,
17 being the east sixteenth corner of the Southeast Quarter of
18 said Section 10; thence north 89 degrees 05 minutes 31
19 seconds west, and on the south line of the North Half of the
20 Southeast Quarter of said Section 10, a distance of 619.45
21 feet to a 5/8" rebar, being a point on the west line of Lot 42
22 Irregular Tract of said Section 10 or the east right-of-way line
23 of U.S. Highway 77; thence north 23 degrees 11 minutes 45
24 seconds west, and on the west line of Lot 42 Irregular Tract
25 of said Section 10 or the east right-of-way line of said U.S.
26 Highway 77, a distance of 1,449.30 feet to a 5/8" rebar,
27 being a point on the north line of the Southeast Quarter or
28 the northwest corner of Lot 42 or the southwest corner of Lot
29 39 Irregular Tracts of said Section 10; thence south 89
30 degrees 13 minutes 26 seconds east, and on the north line
31 of the Southeast Quarter and of Lot 42 or the south line of
32 Lot 39 Irregular Tracts of said Section 10, a distance of
33 1,185.37 feet to the point of beginning and containing a
34 calculated area of 1,195,473.33 square feet or 27.444 acres
35 more or less,

36 WHEREAS, the City Council finds that:

- 37 a) The parking lot for which the waiver of the surfacing requirement is
38 requested is to be used in conjunction with a nonprofit religious institution;
- 39 b) Alternate materials or techniques shall be utilized which provide
40 reasonable control of dust, runoff, and safe circulation; and

1 c) The location of the parking lot is sufficient distance from
2 surrounding uses that it will not adversely affect the surrounding uses, and the
3 frequency of use of the parking lot is so low that compliance with the surfacing
4 requirements at the present time would cause undue economic hardship upon the
5 owner as compared with minimal impact upon the surrounding land uses.

6 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
7 Lincoln, Nebraska:

8 In consideration of the findings made above, the requirement for the
9 paving of the parking lot for Lincoln City Church located at 5201 South 1st Street on
10 property legally described above is hereby waived pursuant to § 27.67.100(c) of the
11 Lincoln Municipal Code under the following conditions:

12 1) The driveway approach be surfaced in compliance with Driveway
13 Design Standards.

14 2) If it is later found that dust or noise, created by the use of the
15 parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal
16 Code, then such waiver may, after notice and hearing by the City Council, be revoked.

17 3) This resolution's terms, conditions, and requirements bind and
18 obligate the permittee, its successors and assigns.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant